

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of
Mahini

Serial No.: **10/627,896**

Filed: **July 25, 2003**

For: **Event List Menu for Accessing Menu
Items in a Hierarchical Menu**

Attorney's Docket No: **2002-014**

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January 12, 2009

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Kathleen Korpen
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APPEAL BRIEF

(I) REAL PARTY IN INTEREST

The real party in interest is Sony Ericsson Mobile Communications AB.

(II) RELATED APPEALS AND INTERFERENCES

There are no related appeals or interferences to the best of Applicant's knowledge.

(III) STATUS OF CLAIMS

Claims 1, 4-10, 13-19, 22-28, and 35 are currently pending and stand finally rejected.

Claims 29-34 have been withdrawn from prosecution (with traverse) responsive to a final restriction requirement. Applicant appeals the final rejection of claims 1, 4-10, 13-19, 22-28, and 35.

(IV) STATUS OF AMENDMENTS

All amendments have been entered to the best of Applicant's knowledge.

(V) SUMMARY OF CLAIMED SUBJECT MATTER

The claimed invention is directed to user interfaces for mobile communication devices, such as cellular telephones or personal digital assistants (PDAs), that allow users to quickly and easily access menus associated with desired services, functions or features. *E.g., Spec.*, p. 2, ll. 2-4; p. 4, ll. 14-18; Figures 1-2. Particularly, the device maintains a consolidated list of event items that gets dynamically updated as new events occur and as old events are handled by a user. Associated with each event item is a menu item in a hierarchical menu. When the user selects an event item from the list, the functionality corresponding to the associated menu item is invoked for the user. Thus, each event item in the list functions as a "shortcut" that provides a simple and consistent method of accessing menus associated with the different services, functions, and features of the mobile communication device without the user having to remember where the menu choices are located in the hierarchical menu structure. *E.g., Spec.*, p. 3, ll. 14-24; p. 7, ln. 20 – p. 10, ln. 16; Figures 3-4.

Independent Claim 1

Claim 1 is directed to a method of accessing functions in a mobile communication device. The method recites generating and dynamically updating a consolidated event list to consolidate one or more events of different event types (e.g., missed calls, missed SMS messages, emails, etc.). *E.g., Spec.*, p. 7, ln. 20 – p. 12, ln. 18; Figures 1-4. To update the list, the method recites dynamically adding and deleting event items to and from the list.

An event item corresponds to a consolidated set of one or more events of the same event type. For example, the consolidated list may include a first event item corresponding to one or more missed voice calls, and a second event item corresponding to one or more missed SMS messages. *E.g., Spec.*, p. 12, ln. 27 – p. 14, ln. 13; Figures 5-6. As recited in claim 1, each event item is a “shortcut” that points to a corresponding menu item in a hierarchical menu. Selecting an event item from the consolidated event list invokes the corresponding menu item. Thus, selecting a “Missed Call” event item on the consolidated event list, for example, invokes the Missed Calls menu. *E.g., Spec.*, p. 12, ll. 5-18; Figures 3-4.

Independent Claim 10

Claim 10 is an apparatus claim directed to a mobile communication device, such as a cellular telephone, for example, configured to function according to the claimed invention. The device comprises a display, memory to store a consolidated event list that consolidates events according to event type, and a processor. *E.g., Spec.*, p. 4, ln. 14 – p. 6, ln. 8; Figures 1-2. The processor dynamically adds an event item to the consolidated event list when a new designated event occurs if the consolidated event list does not already have an event item of the same event type, and automatically deletes an event item from the consolidated event list when a user has responded to all events corresponding to the event item. *E.g., Spec.*, p. 12, ln. 27 – p. 14, ln. 13; Figures 5-6. The processor also associates a menu item in a hierarchical menu with

each event item in the consolidated event list. When the user selects an event item from the list, the processor invokes the corresponding menu item in the hierarchical menu. *E.g., Spec.*, p. 12, ll. 5-18; Figures 3-4.

Independent Claim 19

Claim 19 is directed to a circuit for controlling a user interface that includes a display. The circuit may comprise, for example, a programmable processor. *E.g., Spec.*, p. 4, ln. 14 – p. 5, ln. 8; Figure 1. The circuit may be programmed to generate a consolidated event list to consolidate events according to event type. The consolidated event list may comprise one or more event items, with each event item corresponding to a different event type. The circuit also maintains the consolidated list. Particularly, the processor adds an event item when a new designated event occurs if the consolidated event list does not already have an event item corresponding to the same event type, and deletes an event item when a user has responded to all events corresponding to the event item. The circuit is also programmed to associate a menu item in a hierarchical menu with each event item added to the consolidated event list. Therefore, when the user selects an event item from the list, the circuit invokes the corresponding menu item in the hierarchical menu. *E.g., Spec.*, p. 12, ll. 5-18; Figures 3-4.

Independent Claim 28

Claim 28 is directed to a computer readable medium stored in a memory of a mobile communication device. *E.g., Spec.*, p. 4, ln. 14 – p. 5, ln. 8; Figure 1. The logic contains instructions to control the mobile communication device to generate a consolidated event list to consolidate events according to event type. The consolidated event list includes one or more event items, each corresponding to a different event type. The logic also contains instructions to control the device to dynamically maintain the consolidated list. For example, the logic controls the device to add an event item when a new designated event occurs if the

consolidated event list does not already have an event item corresponding to the same event type. The logic also contains instructions to control the device to delete an event item when a user has responded to all events corresponding to the event item. The logic is also configured to control the device to associate a menu item in a hierarchical menu with each event item added to the consolidated event list such that, when the user selects an event item from the list, the corresponding menu item in the hierarchical menu is invoked. *E.g., Spec.*, p. 12, ll. 5-18; Figures 3-4.

Dependent Claim 35

Claim 35 depends directly from claim 1 and is further defines how new event items are selectively added to the consolidated event list in one embodiment. Particularly, the user, for example, may specify certain types of events to exclude from placing on the consolidated list. As a new event occurs, the processor determines whether the new event is one that should be excluded from the list. If the new event should be excluded, the processor does not continue the process of updating the consolidated list. Otherwise, the processor will continue updating the consolidated list by adding a new event item to the list. *E.g., Spec.*, p. 12, ln. 27 – p. 13, ln. 21; Figure 5.

(VI) GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

Claims 1, 10, 19, 28, and 35 stand finally rejected as being anticipated U.S. Pat. App. Pub. No. 2004/0203651 to Qu (hereinafter “Qu”).

(VII) ARGUMENT

A. Claim 1 is not anticipated by Qu.

Claim 1 is directed to a method of accessing functions in a mobile communication device. The method steps include generating and dynamically updating a consolidated event

list to consolidate one or more events of different event types (e.g., missed calls, missed SMS messages, etc.). An event item corresponds to a consolidated set of one or more events of the same event type, and is associated with a corresponding menu item in a hierarchical menu. For convenience, claim 1 appears below in its entirety.

1. A method of accessing functions in a mobile communication device comprising:
generating a consolidated event list to consolidate events according to event type, the consolidated event list comprising one or more event items, with each event item corresponding to a different event type;
dynamically updating the consolidated event list by:
adding an event item when a new event occurs and the consolidated event list does not already have an event item corresponding to the same event type; and
automatically deleting an event item when a user has responded to all events corresponding to the event item;
displaying the consolidated event list to a user on a display;
associating a menu item in a hierarchical menu with each event item in the consolidated event list; and
invoking the associated menu item in said hierarchical menu responsive to selection of an event item from the consolidated event list by the user.

Claim 1 recites, “invoking the associated menu item in said hierarchical menu responsive to selection of an event item from the consolidated event list by the user.” In other words, selecting an event item from the consolidated event list invokes the corresponding menu item. Qu does not anticipate claim 1 because Qu does not teach invoking an associated menu item in a hierarchical menu whenever a user selects an event item from a consolidated event list.

Qu discloses a wireless communication device that displays the status of the device using objects called “annunciators.” Qu, p. 2, ¶[0020]; Figure 2. Qu explicitly defines an annunciator as “an icon or a symbol that is continuously displayed, when enabled, typically at a designated location on the display.” Qu, p. 2, ¶[0023]; Figure 1. One particular annunciator mentioned in Qu is a graphical symbol that, when displayed, indicates that the user has missed one or more incoming voice calls. However, other annunciators performing similar functionality include a roaming indicator, a signal strength indicator, a battery power level indicator, and a voice recognition indicator. Qu, pp. 2-3, ¶¶[0028-0029]; Tables 1-2.

The Examiner equates the annunciators of Qu to the claimed event items on the consolidated list. However, the annunciators of Qu are **not** the claimed event items because they are visual indicators only. There are no functional ties between the annunciators and the menu items in Qu. According to Qu, “annunciators are used to indicate the current status of the device and are displayed as appropriate.” Qu, p. 2, ¶[0020] (emphasis added). Qu further states that to address an event, such as a missed call, a user must conventionally invoke the Missed Call menu screen (310) using a predetermined sequence of keys or a programmed hot-key. As in Qu, “[the missed call] menu screen may be shown in response to the user pressing a particular key or menu option defined to invoke this screen.” Qu, p. 3, ¶[0030]; Figure 3A (emphasis added). Thus, the Qu annunciators merely visually inform a user that a missed call (or other event) has occurred. To address such events, a user in Qu must still operate a keypad or other user control to navigate a hierarchical menu system - an exercise that the claimed invention avoids. Qu does not teach an event item that, when selected by the user, invokes the functionality of an associated menu item. Rather, Qu teaches annunciators that are visual indicators only. There is no functional component to the Qu annunciators, and as such, Qu does not anticipate claim 10.

B. Claim 10 is not anticipated by Qu.

Claim 10 is directed to a mobile communication device comprising a display, a memory to store a consolidated event list that consolidates events according to event type, and a processor. For convenience, claim 10 appears below in its entirety.

10. A mobile communication device comprising:
 - a display for displaying menu items in a hierarchical menu for selection by a user;
 - a memory for storing a consolidated event list that consolidates events according to event type, the consolidated event list comprising one or more event items, with each event item corresponding to a different event type; and
 - a processor configured to:
 - dynamically update said consolidated event list by:

adding an event item to said consolidated event list when a new designated event occurs and the consolidated event list does not already have an event item corresponding to the same event type; and
automatically deleting an event item from said consolidated event list when a user has responded to all events corresponding to the event item;
display said consolidated event list on a display for viewing by a user;
associate a menu item in a hierarchical menu with each event item in said consolidated event list; and
invoke the associated menu item in said hierarchical menu responsive to selection by said user of an event item from said consolidated event list.

Claim 10 recites a processor configured to “invoke the associated menu item in said hierarchical menu responsive to selection by said user of an event item from said consolidated event list.” The Examiner rejected claim 10 as being anticipated by Qu for the same reasons as those stated for rejecting claim 1. However, for reasons similar to those stated above, Qu does not teach this limitation of claim 10.

C. Claim 19 is not anticipated by Qu.

Claim 19 is directed to a circuit for controlling a user interface having a display. The circuit may be, for example, a processor in a mobile communication device. The circuit is configured to generate a consolidated event list to consolidate events according to event type. The event list comprises one or more event items, with each event item corresponding to a different event type and being associated with a corresponding menu item in a hierarchical menu. The circuit dynamically updates the consolidated event list by adding event items, and automatically deleting event items from, the list. For convenience, claim 19 appears below in its entirety.

19. A circuit for controlling a user interface including a display, said circuit comprising a processor programmed to:
generate a consolidated event list to consolidate events according to event type, the consolidated event list comprising one or more event items, with each event item corresponding to a different event type;
dynamically update the consolidated event list by:

- adding an event item when a new designated event occurs and the consolidated event list does not already have an event item corresponding to the same event type; and
- deleting an event item when a user has responded to all events corresponding to the event item;
- display said consolidated event list on said display for viewing by a user;
- associate a menu item in a hierarchical menu with each event item in said consolidated event list; and
- invoke the associated menu item in said hierarchical menu responsive to selection by said user of an event item from said consolidated event list.

Claim 19 recites that the circuit is configured to, “invoke the associated menu item in said hierarchical menu responsive to selection by said user of an event item from said consolidated event list.” The Examiner rejected claim 19 as being anticipated by Qu for the same reasons as those stated for rejecting claim 1. However, Qu does not teach a selectable event item that, when selected by the user, invokes the functionality of an associated menu item. Accordingly, for reasons similar to those stated above, Qu does not anticipate claim 19.

D. Claim 28 is not anticipated by Qu.

Claim 28 is directed to a computer readable medium having logic that, when executed, can control a mobile communication device to generate a consolidated event list to consolidate events according to event type. The event list comprises one or more event items, with each event item corresponding to a different event type and being associated with a corresponding menu item in a hierarchical menu. The logic can also control the device to dynamically update the consolidated event list by adding event items to, and automatically deleting event items from, the consolidated event list. For convenience, claim 28 appears below in its entirety.

28. A computer readable medium having logic stored thereon, the logic configured to control a user interface in a mobile communication device, and to control said mobile communication device to:

- generate a consolidated event list to consolidate events according to event type, the consolidated event list comprising one or more event items, with each event item corresponding to a different event type;
- dynamically update the consolidated event list by:
 - adding event items when a new designated event occurs and the consolidated event list does not already have an event item corresponding to the same event type;

automatically deleting an event item when the user has responded to all events corresponding to the event item;
display said consolidated event list on a display for viewing by a user;
associate a menu item in a hierarchical menu with each event in said consolidated event list; and
invoke the associated menu item in said hierarchical menu responsive to selection by said user of an event item from said consolidated event list.

The Examiner rejected claim 28 as being anticipated by Qu for the same reasons as those stated for rejecting claim 1. However, claim 28 recites that the logic controls the mobile communication device to, “invoke the associated menu item in said hierarchical menu responsive to selection by said user of an event item from said consolidated event list.” Therefore, for reasons similar to those stated above, Qu does not anticipate claim 28.

D. Claim 35 is not anticipated by Qu.

Claim 35 depends directly from claim 1 and further defines one embodiment in which the user controls the consolidated list update process. Particularly, the user may specify certain types of events that he or she does not wish to place on the consolidated event list. If the event is not excluded, a corresponding event item is added to the list. For convenience, claim 35 appears below in its entirety.

35. The method of claim 1 wherein dynamically updating the consolidated event list further comprises determining a type for the new event, and adding the event item to the consolidated list if the type of new event has not been excluded by the user.

Claim 35 is patentable over Qu simply because of its dependence on claim 1, which, as stated above, is not anticipated by Qu. However, claim 35 is also patentable over Qu because Qu does not teach adding the event item to the consolidated list if the type of new event has not been excluded by the user.

The “annunciators” in Qu are visual symbols that indicate the current status of the device. *Qu*, p. 2, ¶[0020]. According to Qu, annunciators are displayed based on whether an event did/did not occur, or that a specific function is enabled disabled. For example, when the

user misses a call, Qu teaches continuously displaying the missed call annunciator until the user clears the annunciator from the display. *Qu*, p. 3, ¶[0032]. There is nothing in *Qu* that teaches displaying the missed call annunciator only if the user has not excluded missed call events. Similarly, *Qu* does not teach displaying other annunciators to indicate the status of a voice recognition function of the device only if the user has not excluded voice recognition functionality. According to *Qu*, the annunciators are either displayed or not displayed to indicate whether the functionality is available/unavailable, or enabled/disabled. *Qu*, p. 3, ¶[0035].

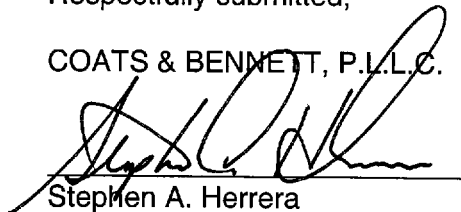
Qu does not teach that a user can exclude certain types of events or annunciators, nor does *Qu* ever mention only adding annunciators if they do not represent an excluded type of event. In fact, *Qu* never mentions that the user has any control whatsoever to add/delete annunciators. Therefore, claim 35 is patentable over *Qu*.

E. CONCLUSION

For at least the foregoing reasons, it is respectfully urged that the claims as presently presented are allowable over the cited art made of record. Therefore, Applicant respectfully requests the Board to withdraw all rejections and allow all pending claims.

Respectfully submitted,

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(VIII) CLAIMS APPENDIX

1. A method of accessing functions in a mobile communication device comprising:
 - generating a consolidated event list to consolidate events according to event type, the consolidated event list comprising one or more event items, with each event item corresponding to a different event type;
 - dynamically updating the consolidated event list by:
 - adding an event item when a new event occurs and the consolidated event list does not already have an event item corresponding to the same event type; and
 - automatically deleting an event item when a user has responded to all events corresponding to the event item;
 - displaying the consolidated event list to a user on a display;
 - associating a menu item in a hierarchical menu with each event item in the consolidated event list; and
 - invoking the associated menu item in said hierarchical menu responsive to selection of an event item from the consolidated event list by the user.
2. (Cancelled).
3. (Cancelled).
4. The method of claim 1 wherein said consolidated event list is displayed responsive to entry of a shortcut command by said user.
5. The method of claim 1 further comprising sorting said consolidated event list before said consolidated event list is displayed.

6. The method of claim 5 wherein said consolidated event list is sorted in time order.
7. The method of claim 5 wherein said consolidated event list is sorted based on priorities assigned to said event items on said consolidated event list.
8. The method of claim 7 wherein said priorities are assigned to said event items on said consolidated event list by the user.
9. The method of claim 5 wherein said consolidated event list is sorted based on usage statistics associated with said event items on said consolidated event list.

10. A mobile communication device comprising:

- a display for displaying menu items in a hierarchical menu for selection by a user;
- a memory for storing a consolidated event list that consolidates events according to event type, the consolidated event list comprising one or more event items, with each event item corresponding to a different event type; and

- a processor configured to:

- dynamically update said consolidated event list by:

- adding an event item to said consolidated event list when a new designated event occurs and the consolidated event list does not already have an event item corresponding to the same event type; and

- automatically deleting an event item from said consolidated event list when a user has responded to all events corresponding to the event item;

- display said consolidated event list on a display for viewing by a user;

- associate a menu item in a hierarchical menu with each event item in said consolidated event list; and

- invoke the associated menu item in said hierarchical menu responsive to selection by said user of an event item from said consolidated event list.

11. (Cancelled).

12. (Cancelled).

13. The mobile communication device of claim 10 wherein the processor displays said consolidated event list responsive to entry of a shortcut command by said user.

14. The mobile communication device of claim 10 wherein said processor sorts said consolidated event list before said event list is displayed.

15. The mobile communication device of claim 14 wherein said processor sorts said consolidated event list in time order.

16. The mobile communication device of claim 14 wherein said processor sorts said consolidated event list based on priorities assigned to said event items on said consolidated event list.

17. The mobile communication device of claim 16 wherein said priorities are assigned to said event items on said consolidated event list by the user.

18. The mobile communication device of claim 10 wherein said processor sorts said consolidated event list based on usage statistics associated with said event items on said consolidated event list.

19. A circuit for controlling a user interface including a display, said circuit comprising a processor programmed to:

generate a consolidated event list to consolidate events according to event type, the consolidated event list comprising one or more event items, with each event item corresponding to a different event type;

dynamically update the consolidated event list by:

adding an event item when a new designated event occurs and the consolidated event list does not already have an event item corresponding to the same event type; and deleting an event item when a user has responded to all events corresponding to the event item;

display said consolidated event list on said display for viewing by a user;

associate a menu item in a hierarchical menu with each event item in said consolidated event list; and

invoke the associated menu item in said hierarchical menu responsive to selection by said user of an event item from said consolidated event list.

20. (Cancelled).

21. (Cancelled).

22. The circuit of claim 19 wherein the processor displays said consolidated event list responsive to entry of a shortcut command by said user.

23. The circuit of claim 19 wherein said processor sorts said consolidated event list before said consolidated event list is displayed.

24. The circuit of claim 23 wherein said processor sorts said consolidated event list in time order.

25. The circuit of claim 23 wherein said processor sorts said consolidated event list based on priorities assigned to said event items on said consolidated event list.

26. The circuit of claim 25 wherein said priorities are assigned to said event items on said consolidated event list by the user.

27. The circuit of claim 19 wherein said processor sorts said consolidated event list based on usage statistics associated with said event items on said consolidated event list.

28. A computer readable medium having logic stored thereon, the logic configured to control a user interface in a mobile communication device, and to control said mobile communication device to:

- generate a consolidated event list to consolidate events according to event type, the consolidated event list comprising one or more event items, with each event item corresponding to a different event type;

- dynamically update the consolidated event list by:

- adding event items when a new designated event occurs and the consolidated event list does not already have an event item corresponding to the same event type;
 - automatically deleting an event item when the user has responded to all events corresponding to the event item;

- display said consolidated event list on a display for viewing by a user;

- associate a menu item in a hierarchical menu with each event in said consolidated event list;

- and

- invoke the associated menu item in said hierarchical menu responsive to selection by said user of an event item from said consolidated event list.

29. (Withdrawn) A method of accessing functions in a mobile communication device comprising:

adding shortcut pointers to a dynamically updated shortcut menu responsive to missed

events, the shortcut pointer being associated with one or more missed events of the

same event type in an inbox;

automatically deleting a shortcut pointer from the shortcut menu after the last missed event

associated with the shortcut pointer has been deleted from the inbox.

30. (Withdrawn) The method of claim 29 wherein adding shortcut pointers comprises adding the

shortcut pointers if the shortcut menu does not already contain another shortcut pointer

associated with a missed event of the same type.

31. (Withdrawn) The method of claim 30 wherein adding shortcut pointers further comprises

adding the shortcut pointers if the missed event is not an excluded event.

32. (Withdrawn) The method of claim 29 further comprising:

associating the shortcut pointer with a hierarchical menu item that invokes the inbox; and

invoking the menu item responsive to selection of the shortcut pointer by the user;

33. (Withdrawn) The method of claim 32 further comprising:

adding the missed events of the same event type to the inbox; and

automatically deleting a missed event from the inbox responsive to the selection of the

associated shortcut pointer by the user.

34. (Withdrawn) The method of claim 32 wherein the inbox comprises a missed calls inbox on a

wireless communications device.

35. The method of claim 1 wherein dynamically updating the consolidated event list further comprises determining a type for the new event, and adding the event item to the consolidated list if the type of new event has not been excluded by the user.

(IX) EVIDENCE APPENDIX

None.

(X) RELATED PROCEEDINGS APPENDIX

None.